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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,844	09/23/2003	Roger Burton	4P06.1-010	4954

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EXAMINER

CULLER, JILL E

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

128

Office Action Summary	Application No.	Applicant(s)	
	10/668,844	BURTON, ROGER	
	Examiner	Art Unit	
	Jill E. Culler	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8-10 and 12-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8-10 and 12-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On page 5, line 26, it appears that the word "host" should be "cost" instead

Appropriate correction and/or clarification is required.

Claim Objections

2. Claims 1 and 3-4 are objected to because of the following informalities:

In claim 1, on line 11, the word 'and' appears to be incorrect and should be removed or changed.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-5, 8-10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,675,573 to Hawks in view of U.S. Patent No. 5,410,964 to Koelsch

With respect to claim 1, Hawks shows a crimp-on edge clip, B, for attachment to a print carrier sheet, see column 2, lines 60-75, comprising: a crimp fitting comprising an

upper flange and a lower flange connected at an intersection and configured to be crimped shut to secure a print carrier sheet to the edge clip, and a clip portion, integral with the crimp fitting and extending from the intersection of the upper flange with the lower flange, the edge clip configured for removable interface with a lock-up device, A, carried by a print roll. See column 3, lines 8-23 and the figures.

Hawks does not teach that the edge clip forms a J-bar.

Koelsch teaches an edge clip, 50, with a J-bar shaped portion, 72, for use in a locking device. See column 3, lines 16-64 and Figure 4.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the edge clip of Hawks to have the J-bar shape of Koelsch in order to more effectively lock the clip into a lock-up device.

With respect to claims 3-4, Hawks teaches the edge clip is uniform in cross-section, elongated in a longitudinal direction, and consists essentially of a continuous extrusion. See column 2, lines 60-66 and Figures 1 and 5 in particular.

With respect to claim 5, Hawks shows a print carrier sheet, C, comprising: a backing having first and second opposing edges extending in a longitudinal direction; a first edge clip, B, crimped to the first edge comprising a crimp fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, a second edge clip, B, crimped to the second edge comprising a crimp fitting having an upper flange, and a lower flange connected at an intersection and an integral clip portion extending from the intersection, the edge clips configured for removable interface with opposing longitudinal rails of a lockup device

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carried by a print roll. See column 1, lines 15-23, column 2, lines 60-75, column 3, lines 8-23 and the figures.

Hawks does not teach that the edge clips form a J-bar.

Koelsch teaches an edge clip, 50, with a J-bar shaped portion, 72, for use in a locking device. See column 3, lines 16-64 and Figure 4.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the edge clips of Hawks to have the J-bar shape of Koelsch in order to more effectively lock the clips into the lock-up device.

With respect to claims 8-9, Hawks teaches the edge clip is uniform in cross-section, elongated in a longitudinal direction, and consists essentially of a continuous extrusion. See column 2, lines 60-66 and Figures 1 and 5 in particular.

With respect to claim 10, Hawks shows a print roll extending in a longitudinal direction and carrying a carrier sheet comprising: a lock-up device, A, carried by the print roll and comprising first and second opposing rails extending in the longitudinal direction; and a print carrier sheet, C, held to the print roll by the lock-up device and comprising: a backing having first and second opposing edges extending in the longitudinal direction, a first edge clip, B, crimped to the first edge comprising a crimp fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, and removably interfaced with the first rail of the lock-up device and a second edge clip, B, crimped to the second edge comprising a crimp fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, and removably

interfaced with the second rail of the lock-up device. See column 1, lines 15-23, column 2, lines 60-75, and column 3, lines 8-23, and the Figures.

Hawks does not teach that the first and second edge clips form a first and second J-bar.

Koelsch teaches an edge clip, 50, with a J-bar shaped portion, 72, for use in a locking device. See column 3, lines 16-64 and Figure 4.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the edge clips of Hawks to have the J-bar shape of Koelsch in order to more effectively lock the clips into the lock-up device.

With respect to claims 12-13, Hawks teaches the edge clip is uniform in cross-section, elongated in a longitudinal direction, and consists essentially of a continuous extrusion. See column 2, lines 60-66 and Figures 1 and 5 in particular.

With respect to claim 14, Hawks teaches a printing machine, comprising: a cylindrical print roll extending in a longitudinal direction along an axis of rotation; a lock-up device, A, carried by the print roll and comprising first and second rails extending in the longitudinal direction; a print carrier sheet, C, held to the print roll by the lock-up device and comprising: a backing having first and second edges extending in the longitudinal direction; a first edge clip, B, crimped to the first edge clip comprising a crimp fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, and removably interfaced with the first rail of the lock-up device and a second edge clip, B, crimped to the second edge comprising a crimp fitting having an upper flange and a lower flange connected at

an intersection and an integral clip portion extending from the intersection, and removably interfaced with the second rail of the lock-up device. See column 1, lines 15-23, column 2, lines 60-75, and column 3, lines 8-23, and the Figures.

Hawks does not teach that the first and second edge clips form a first and second J-bar.

Koelsch teaches an edge clip, 50, with a J-bar shaped portion, 72, for use in a locking device. See column 3, lines 16-64 and Figure 4.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the edge clips of Hawks to have the J-bar shape of Koelsch in order to more effectively lock the clips into the lock-up device.

With respect to claims 15-16, Hawks teaches the edge clip is uniform in cross-section, elongated in a longitudinal direction, and consists essentially of a continuous extrusion. See column 2, lines 60-66 and Figures 1 and 5 in particular.

With respect to claims 17-20, Hawks teaches a method for implementing crimp-on edge clips for a print carrier sheet, comprising the steps of: providing a print carrier sheet backing having a first longitudinal edge; providing a first edge clip that is uniform in cross section and consists essentially of a continuous extrusion, the first edge clip comprising a crimp fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, crimping the first edge clip to the first longitudinal edge, providing a second longitudinal edge on the print carrier sheet backing; providing a second edge clip that is uniform in cross section and consists essentially of a continuous extrusion, the second edge clip comprising a crimp

fitting having an upper flange and a lower flange connected at an intersection and an integral clip portion extending from the intersection, crimping the second edge clip to the second longitudinal edge, removably attaching the print carrier sheet to a print roll in a printing machine, and running the printing machine to print images using the print carrier sheet. See column 1, lines 9-26, column 2, lines 60-75, column 3, lines 8-23, and the Figures.

Hawks does not teach that the first and second edge clips form a first and second J-bar.

Koelsch teaches an edge clip, 50, with a J-bar shaped portion, 72, for use in a locking device. See column 3, lines 16-64 and Figure 4.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the method of Hawks to provide edge clips with the J-bar shape of Koelsch in order to more effectively lock the clips into the lock-up device.

Response to Arguments

5. Applicant's arguments filed August 11, 2004 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In response to applicant's argument that Hawks requires an additional

attachment bar, one having ordinary skill in the art would be able to determine that the combination of Hawks with Koelsch would obviate this requirement. In response to applicant's argument that neither Koelsch nor Hawks teaches the J-bars removably interfaced with opposing rails of a lockup device, again the combination of the teaching of two attachment bars of Hawks with the teaching of J-bars in Koelsch would be obvious to one having ordinary skill in the art.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

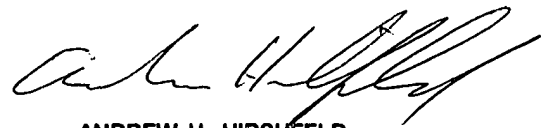
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (571) 272-2159. The examiner can normally be reached on M-Th 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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